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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 \* \* \*

6 Brett Jones,

7 Plaintiff,

8 v.

9 William Gittere, et al.,

10 Defendants.

Case No. 2:24-cv-00171-APG-DJA

**Order**

11 Before the Court is Plaintiff Brett Jones' motion identifying unserved Defendant  
12 "Hernandez." (ECF No. 14). No party responded to the motion constituting their consent to the  
13 Court granting it under Local Rule 7-2(d). Plaintiff filed his motion a few days after receiving  
14 notice from the Office of the Attorney General ("OAG") accepting service for certain Defendants,  
15 but explaining that "OAG is unable to identify 'Hernandez' and without further information from  
16 Plaintiff, OAG cannot positively identify the individual Plaintiff intends to sue." (ECF No. 13).  
17 In his motion, Plaintiff provides certain additional information about Hernandez, including where  
18 he worked and when. (ECF No. 14). Because Plaintiff has followed the Court's order allowing  
19 him to file a motion identifying unserved defendants (ECF No. 10), the Court will grant  
20 Plaintiff's motion and order that the OAG attempt to identify Hernandez using the additional  
21 information provided. Because the service deadline has passed, the Court also *sua sponte* extends  
22 it under Federal Rule of Civil Procedure 4(m) by ninety days from the date of this order.

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24 **IT IS THEREFORE ORDERED** that Plaintiff's motion identifying unserved Defendant  
25 "Hernandez" (ECF No. 14) is **granted**.

26 **IT IS FURTHER ORDERED** that Plaintiff must accomplish service on or before **April**  
27 **3, 2025**. See Fed. R. Civ. P. 4(m).  
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1       **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to electronically  
2 **SERVE** a copy of this order; a copy of Plaintiff's motion (ECF No. 14); and a copy of Plaintiff's  
3 complaint (ECF No. 4) on the Office of the Attorney General of the State of Nevada. This does  
4 not indicate acceptance of service.

5       **IT IS FURTHER ORDERED** that on or before **January 24, 2025**, the OAG shall file a  
6 notice advising the Court and Plaintiff whether it has accepted service for Hernandez and whether  
7 it can identify Hernandez. If it can identify Hernandez, but does not accept service for him, the  
8 OAG shall file Hernandez's last known address under seal and shall indicate in its notice that it  
9 has filed Hernandez's last known address under seal. If the last known address is a post office  
10 box, the OAG shall attempt to obtain and provide the last known physical address.

11       **IT IS FURTHER ORDERED** that if service cannot be accepted for Hernandez, Plaintiff  
12 shall file a motion identifying Hernandez, requesting issuance of summons, and specifying a full  
13 name and address for him. If the OAG has not provided last-known-address information,  
14 Plaintiff shall provide the full name and address for Hernandez.

15       **IT IS FURTHER ORDERED** that if the OAG accepts service for Hernandez, Hernandez  
16 shall file and serve an answer or other response to the complaint (ECF No. 4) on or before **March**  
17 **4, 2025**.

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19       DATED: January 3, 2025.

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22       DANIEL J. ALBREGTS  
23       UNITED STATES MAGISTRATE JUDGE  
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